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C O N F I D E N T I A L SECTION 01 OF 03 SUVA 000013

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SUBJECT: FIJI: "LAND" ISSUE; ELECTORAL BOUNDARIES; PEOPLE'S
CHARTER

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Classified By: Amb. Dinger. Sec. 1.4 (B,D).

Summary

11. (C) Interim Finance Minister Chaudhry has proposed that he and interim PM Bainimarama can resolve Fiji's racially charged "land" issues. That vision has raised intense concern among ethnic-Fijians, most of whom trust neither Bainimarama nor Chaudhry to handle the issue. The interim government (IG) has belatedly finished appointing a three-person Electoral Boundaries Commission. None of the three is an ethnic-Fijian, a major political problem. All those arrested last November in an alleged assassination plot are now free on bail, to the IG's consternation. An appeal is in the works. The first meeting of the People's Charter process took place Jan. 16. A number of seats were empty, including those for Qarase's SDL Party and the Methodist Church. President Iloilo expressed extreme disappointment that no foreign donors are assisting. Bainimarama gave a rather pensive speech and acknowledged, surprisingly, that "coup culture" and the military's roles may need addressing. End summary.

Chaudhry raises "land" issue -- red flag

12. (U) Last weekend, interim Finance Minister Chaudhry told the media he intends to commence discussions with the interim Fijian Affairs Minister to resolve Fiji's long-standing land issue. Chaudhry noted that interim PM Bainimarama assumed the "Fijian Affairs" portfolio under the recent interim cabinet reshuffle, so the time is now ripe.

13. (C) "Land" is a hugely sensitive issue for Fiji. Ethnic Fijians own 88% of the land communally; ethnic Indians have farmed most of the arable land under lease arrangements. Under mechanisms set up in the colonial days and occasionally tinkered with since, a government body, the Native Lands Trust Board has overseen the rental process. Both land-owners and lease-holders have been unhappy. For ethnic-Fijians, "land" is more than an economic issue, it is spiritual and cultural. Reportedly, Chaudhry's efforts to revise land policies when he became PM in 1999 were a significant motivation for the ethnic-Fijian coup of 2000.

14. (C) Chaudhry's proposal that he and Bainimarama will resolve the "land" issue now was bound to infuriate the many Fijian opponents of the interim regime. A spokesman for deposed PM Qarase's SDL party flagged concern to the media, saying "the most important stakeholders" haven't been consulted. No doubt concerns are also being expressed around

every village kava bowl. On Jan. 15, the first meeting of the new IG Cabinet reportedly decided to begin outreach to the ethnic-Fijian communities as part of a process to make land management more productive. An SDL spokesman publicly suggested that any IG effort should be confined to the land holdings of Bainimarama's own clan, the only land he has any right to discuss.

Electoral Boundaries Comm'n -- no ethnic Fijians

15. (C) On Jan. 11, interim Attorney General Sayed-Khaiyum named Suresh Chandra as the final member for the three-person Electoral Boundaries Commission. Chandra, a little-known Suva property lawyer, joins Father Kevin Barr and Albert Queet. Father Barr, head of the human-rights NGO ECREA, has made clear his sympathies are with the IG. Queet is a former civil servant. Two nominees proposed last fall for the third position, both ethnic-Fijian women, withdrew: one reportedly because of family pressures; the other, Adi Koila Nailatikau, wife of the Interim Foreign Minister and daughter of Ratu Mara, because she had recently been a member of the Fiji Senate, and thus, embarrassingly, was constitutionally not eligible. Sayed-Khaiyum dragged out the selection of a replacement, thus slowing the process of gearing up for March 2009 elections. Census numbers have been available since September, but the Boundaries Commission has been unable to start crunching the data. We hear Australia and New Zealand raised concerns about that at a PIF-Fiji Joint Working Group meeting in recent weeks.

16. (C) The selection of Chandra raised eyebrows. Few observers have any knowledge of him at all, though he reportedly worked in the Fiji lands-registration office after

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obtaining a law degree in New Zealand, and his private practice has been mostly in "conveyancing." One rumor is that he is a Labor-Party supporter of Chaudhry. Some suggest he is part of a network of ethnic-Indians with New Zealand connections that has been actively supporting the IG. On Jan. 14, an SDL Party spokesman expressed grave concern that the EBC has no ethnic-Fijian representation, even though ethnic-Fijians constitute 57% of the population. Sayed-Khaiyum responded that the Constitution does not require racial representation on the EBC and all constitutional requirements were followed. (Note: actually, the Constitution states that the PM and Opposition Leader each select one member, with the third selected by the President after consulting the PM and Opposition Leader. Mick Beddoes, the Opposition Leader of the 2006 Parliament, claims he retains that title since the IG has never formally deposed him. Beddoes was not consulted about the EBC appointments and has described the appointment process as unconstitutional.)

Alleged assassination case -- update

17. (C) During the holiday period, the dozen people the military and police detained in October on allegations of an assassination plot against Bainimarama, Chaudhry, and others, were released on bail, contrary to the wishes of the IG. Ballu Khan, an alleged mastermind, was the last to be formally arrested, on his departure Jan. 8 from a two-month stay in Suva Private Hospital recuperating from a military beating. The same evening a magistrate granted him bail. We hear the Director of Public Prosecutions (DPP) Office has concluded the assassination-plot evidence produced thus far is weak. Reportedly, the IG pressed very hard for the DPP to appeal the bail decisions. Those appeals have now been filed. In the meantime, the accused have strict bail conditions and presumably are under surveillance.

People's Charter -- first meeting

18. (U) The first meeting of the National Council for Building a Better Fiji for All, the People's Charter process, convened

in Suva on Jan. 16, after several delays as the IG scrambled to fill seats. Reportedly 13 organizations, out of 35 offered seats, declined to participate, including Qarase's SDL Party and the Methodist Church. Mick Beddoes took a seat, despite his many critical statements about the process. Eight IG Ministers and a number of Fijian Provincial Council reps are included, along with the head of the Fiji Media Council (Tarte) and the head of the Citizen's Constitutional Forum (Yabaki).

Iloilo disappointed at lack of foreign help

¶9. (U) President Iloilo opened the meeting, saying he hopes for a "happier and more prosperous New Year." Iloilo called for "constructive engagement and trust-based dialogue." He pleaded for those with reservations to come forward. He said suggestions that a draft Charter already exists are "far from the truth." He said he is "extremely disappointed" that none of Fiji's traditional development partners have offered financial support for the Charter process. Without such help, the capacity to move forward will "certainly be constrained...we are on our own."

Bainimarama pensive; raises "coup culture"

¶10. (U) Interim PM Bainimarama delivered a rather thoughtful address. He described 2007 as "marked by turmoil but also momentous opportunities." He was disappointed with the progress made since the coup to respond to past "self-serving" leadership, "race-based politics," and a lack of accountability and transparency in governance that severely hindered progress. Fiji's series of coups, including 2006, raised "very fundamental questions about governance, democracy, race relations, and the meaning of our nationhood." He acknowledged the economy has been in decline. Fiji has been "regressing" for the past 20 years. He asked: "where did we go wrong, and why?...Where do we, as a nation, go from here?"

¶11. (U) Bainimarama suggested the Charter process can answer the questions and chart the course. He assured everyone that "nothing concerning the proposed People's Charter has been cast in stone" and "the Charter will not replace our Constitution." He noted that "the initial draft" on the

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Charter proposal "was silent on the...role of Fiji's military as a key institution in our nation." He suggested a new working group might be set up to specifically address that issue. He said, "As the current head of Fiji's Military, I am very much aware of the concerns regarding what is now being widely described as the 'coup culture' in Fiji. Fiji must rid itself of this reputation; and for us to be able to do this, we must address the fundamental problems and issues." Thus the People's Charter.

Comment

¶12. (C) The Iloilo and Bainimarama speeches presumably were drafted by the same team. Both speeches acknowledge that 2007 was a difficult year, undoubtedly much more difficult for the IG than its leaders had anticipated. Iloilo's denial that a draft Charter exists is interesting, but Bainimarama's acknowledgment of a draft proposal is the reality. Bainimarama's questions -- where did we go wrong and why? -- are important. Many would say Fiji's coups are extremely relevant factors in the answers. Bainimarama has not accepted that thought in the past. His suggestion that "coup culture" and the RFMF roles are now fitting subjects for debate is startling, and suggests that he, at least for the moment, is seeing the need to accommodate critics of the People's Charter process. The presence of Beddoes inside the Charter tent could be useful. He thinks independently, is articulate, and cultivates the media. If, as many surmise, the Charter end-game is pre-cooked, Beddoes is positioned to raise public alarms.

